



Performance-*based*
Standards



Preventing and Monitoring Sexual Victimization

July 2013

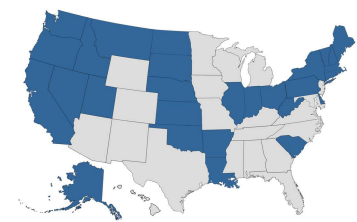
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Introduction

Juvenile facilities are responsible for providing safe, healthy cultures and rehabilitation services that turn around the lives of delinquent youths. The Performance-based Standards (PbS) program, developed by the Council of Juvenile Correctional Administrators (CJCA), has been working with youth facilities for 18 years to improve and monitor the quality of life and conditions of confinement. PbS' national standards are grounded in research and experience that show a safe, healthy environment is the necessary foundation for effective, lasting rehabilitation and youths' successful return to families and communities.

PbS promotes a holistic approach to preventing and monitoring sexual victimization. Following the promulgation last year of the Prison Rape Elimination Act (PREA) standards by the US Attorney General, PbS and its participating facilities have intensified the focus on safe and healthy cultures. Facilities use PbS' national standards, improvement process and data collection surveys to create and sustain safe and healthy cultures that include preventing sexual victimization and monitoring facility culture to meet PREA's goal of zero tolerance.

PbS was developed to address the dangerous and unhealthy conditions reported in the 1994 Conditions of Confinement Study. In addition to calling for the development of national standards that establish the highest expectations for facility operations, services and youths' daily experiences, the report found adherence to existing process standards were irrelevant to conditions. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) launched PbS to both improve conditions in youth facilities and establish performance outcomes to continually monitor quality of life and services and prevent deterioration and unsafe cultures.



States shown in blue have correction facilities, detention facilities or community programs participating in PbS.

PbS addresses seven areas of facility management: safety, security, order, health/mental health, programming, reintegration and justice. PbS collects both quantitative and qualitative data from administrative forms, youth records, incident reports, exit interviews of youths and climate surveys of youths, staff and families. The information indicates how well facilities meet PbS' standards and commitment to treating all youths in custody as one of our own. In 2004 PbS won the Innovation in American Government Award for uniquely and effectively addressing conditions of confinement.



Asking Youths about Victimization

PbS offers this issue brief to assist participants to best use survey responses along with outcome data to monitor and improve the safety and culture, and to eliminate and prevent sexual victimization.

PbS' youth climate surveys, which include a question and sub-questions about sexual assault, allow for real-time analysis and timely response. PbS requested and was given permission to use the same survey questions developed for the biennial national Survey of Youth in Residential Placement (SYRP) to learn about how youth perceive their own safety and report any victimization in custody. Safety and security questions are posed as a series of questions about general conditions, programs and family contact. The questions include:

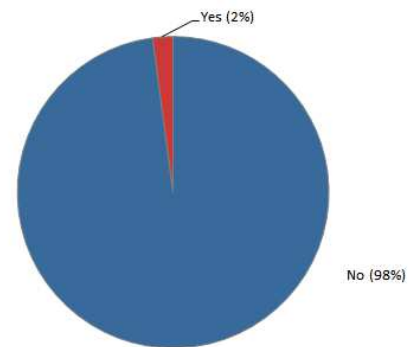
- Do you fear for your safety?
- Have you had personal property stolen?
- Have you been beaten up or threatened with being beaten up?
- Have you been forced to engage in sexual activity?
- Do you know how to find help if you need it?

PbS facilities survey a minimum random sample of 30 youths (for a total of nearly 4,000 surveys) twice a year during each data collection period (April and October.) From October 2010 through April 2013, only two percent of youths in PbS facilities reported they had been forced to engage in sexual activity; 94 percent over the past year reported they had not been forced to engage in sexual activity and the remaining youths either refused to answer (about three percent) or left the question blank (one percent.)

Using PbS to Prevent Victimization

Youth surveys are designed to assess facility culture and safety and provide information that is not otherwise available. Extensive studies have endorsed the validity of self-report survey data when the questions are understood, there is a strong sense of anonymity and little fear of reprisal. When youths complete PbS surveys, they are assured anonymity and confidentiality including placing their completed surveys in an envelope, which they seal and place in a secure box.

For each of the past six data collection periods, dating back to October of 2010, 2% of youths in PbS facilities have reported being forced to engage in sexual activity.



Research continues to show that the individual perceptions and experiences of youths in residential programs have a significant impact on the safety and climate within the facilities as well as recidivism. A recent analysis of the Pathways to Desistance Study added to the growing body of findings with the conclusion that, in addition to impacting the likelihood of antisocial behavior and system involvement upon release, youths' perceptions offer a cost-effective means to monitor facility services, conditions and climate.

While affirmative responses to the question regarding forced sexual activity on the PbS Youth Climate Survey may, but do not necessarily represent an authenticated claim, they present an opportunity to reinforce safety, underscore a culture of zero tolerance and encourage reporting of sexual misconduct or other victimization to prevent and detect sexual abuse. These opportunities are accomplished through an array of activities that may include:

- Administrative review of and participation in the facility's communication structure.
- Review of relevant policies and procedures to ensure they are being executed as designed.
- Ensuring youths know how to report if they are victims or witnesses of sexual misconduct.
- Identifying and addressing staff training needs.
- Examining PbS outcomes and survey responses related to healthy cultures and safety.

Open communication forums that highlight safety are key to underscoring zero tolerance for sexual misconduct and other forms of victimization and a culture where reporting is encouraged and youths know where to get help. They may include individual sessions, unit/cottage meetings, treatment team meetings and resident council meetings, with participation by advocates external to the facility. These forums can build trust and impart information, leading to disclosures by youths who may have responded affirmatively to the sexual assault question in the youth surveys and prevent future victimization.

Communication forums with staff are important to gauge and address needs regarding education, support and accountability. Essential areas for training include appropriate staff-youth relationships, prevention and nature of non-consensual sexual acts (including the power differentials that often mask a lack of consent), and signs of sexual assault and trauma to ensure vigilance, reporting of any suspicion and prevention.



Ensuring Safe and Healthy Cultures

PbS research has concluded repeatedly that facilities in which youths know the rules, think school is good, describe staff as fair and report that they are not locked down, have fewer incidences of violence and overall better outcomes for youths and staff. Publication of that research has led to many changes in practice over the last few years that are reflected in PbS Youth Climate Survey responses as well as outcome data showing reduced violence in PbS participating facilities.

Additional examples of PbS youth survey questions and performance outcomes used to monitor facility culture and gauge application of PREA standards at an operational level are:

- Complete health/mental health intake screenings to guide housing assignments.
- Youth who report that their requests to see, call or write their attorneys was granted.
- Administrative sanctions of staff for conduct related to youth.
- Staff fairness regarding telephone procedures.
- Average daily ratio of direct care staff to youth.
- Youth who know how to file a grievance if they are being mistreated.
- Percent of youth who report that nothing bad will happen to them if they file a grievance.

Critical review of youth survey responses along with analysis of outcomes help to gauge facility culture and conditions and promote continuous improvement and monitoring. Survey responses also provide a table for discussion with staff and youths, and an opportunity to demonstrate that they have a meaningful “voice” and reinforce that their safety is of key concern.

PbS coaches and facility administrators and teams discuss affirmative responses to the question regarding forced sexual activity along with review and analysis of all reports. Administrative review upon receiving survey results can help to identify indicators of sexual or other victimization that warrant an immediate response including communication forums mentioned previously, review of policies and practices concerning supervision, staff/youth relationships and access to family and other supportive adults, and staff training to increase understanding as well as accountability.

Summary

PbS is a nationally recognized improvement program that promotes a comprehensive, wide-ranging approach to creating safe and healthy cultures, including zero tolerance for sexual assault. Analysis of and response to PbS’ outcome data and survey reports, and adoption of continuous improvement as part of daily management offer an opportunity to monitor and prevent sexual, and other forms of victimization.

